

EXHIBIT C

Geter, Cierra v. Schneider National Carriers Inc.

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CIERRA GETER,)
)
Plaintiff,) CIVIL ACTION
)
vs.) FILE NO.
)
SCHNEIDER NATIONAL) 1:20-cv-01148-SCJ-JSA
CARRIERS, INC.,)
)
Defendant.)

- - -

DEPOSITION OF
MARIANNE BISKEY-ROSE
TAKEN BY REMOTE VIDEOCONFERENCE

April 21, 2021

9:37 a.m.

Pamela L. Porter, RPR, CCR-B-2160

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APPEARANCES OF COUNSEL

On behalf of the Plaintiff:

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On behalf of the Defendant:

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(Original Exhibits have been attached to the original transcript.)

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1 (Reporter disclosure made pursuant to
2 Article 10.B of the Rules and Regulations of the
3 Board of Court Reporting of the Judicial Council
4 of Georgia.)

5 (Due to the need for this deposition to
6 take place remotely, the parties have stipulated
7 that the court reporter may swear in the witness
8 over the phone/Veritext Virtual videoconference
9 and that the witness has verified that he/she is
10 in fact MARIANNE BISKEY-ROSE.)

11 (The witness was duly sworn.)

12 (Off-the-record discussions ensued.)

13 MS. LEGARE: Again, we're here today in
14 the case that Cierra Geter has brought against
15 Schneider National Carriers, which is currently
16 pending in the Northern District of Georgia, and
17 we're here for all purposes under the Federal
18 Rules of Civil Procedure and Evidence.

19 Are we going to waive objections except to
20 form and privilege today?

21 MR. MILIANTI: Yes.

22 MS. LEGARE: Okay. And I'm assuming you
23 want to read and sign; right?

24 THE WITNESS: Yes.

25 MS. LEGARE: Okie-doke.

1 MARIANNE BISKEY-ROSE,
2 having been first duly sworn, was examined and
3 testified as follows:

4 CROSS-EXAMINATION

5 BY MS. LEGARE:

6 Q. Could you please state your full for the
7 record.

8 A. Yeah. It's Marianne Biskey-Rose.

9 Q. And I apologize. I didn't introduce
10 myself. I'm Cheryl Legare, and I represent Cierra
11 Geter in this matter.

12 And you're here because you've been
13 identified as a witness who has some information about
14 the case.

15 I'm going to ask you some questions.
16 You're going to give me some answers. Pete may ask
17 some follow-up, and then we'll be done. You know, I
18 expect maybe an hour or two at the most.

19 Have you ever been deposed before,
20 Ms. Biskey-Rose?

21 A. I have not.

22 Q. Okay. I sort of just described the
23 process for you. If you need a break, just let me
24 know. Okay?

25 A. Okay.

1 A. He's located in Green Bay, Wisconsin.

2 Q. So Mr. Torrence has already been deposed.

3 And I think I understand his role in Ms. Geter's
4 employment. But let me take a step back. Do you know
5 Cierra Geter?

6 A. I do.

7 Q. As operations -- as director of
8 operations, do you primarily work first shift, or do
9 you work various times?

10 A. Primarily first shift.

11 Q. And does first shift have a general time
12 range, like 9:00 to 5:00 or 8:00 to --

13 A. Generally -- yeah, generally it's 7:00 to
14 4:00. But, again, it's a little bit staggered. So
15 some people come at 6:00. Some people come at 8:00.
16 But generally speaking it's historically been 7:00 to
17 4:00.

18 Q. And is Schneider still today a 24/7
19 operation; right?

20 A. Correct.

21 Q. Just so that we have it in the record,
22 what does Schneider do?

23 A. We're a truckload and logistics company.

24 Q. So I think it's probably just easiest to
25 go sort of chronologically about what happened in this

1 THE WITNESS: So I'm sure I have seen it,
2 but it isn't something I recall.

3 Q. (By Ms. Legare) What is your --

4 A. I can't say --

5 Q. Oh, go ahead.

6 A. I can't say definitively that I've seen
7 this.

8 Q. Okay. What is your understanding about
9 working from home for people in the Fairburn office?

10 A. Well --

11 Q. And hold on. I need to put this on --
12 before Covid, obviously.

13 A. Yes. So, you know, we try our best to
14 work with our associates and be flexible. So, you
15 know, if somebody has something last minute that's
16 come up, like a sick child or someone at home that
17 they need to be there for or a doctor's appointment,
18 then we've allowed some flexibility to work from home.

19 But it's always kind of been a one-off
20 situation and not an ongoing request.

21 Q. Were you aware that Tiffany Kitchens
22 worked, actually, from the emergency room is what she
23 said on -- or, sorry, from the hospital, and she made
24 it sound to me like for around four months in 2018 and
25 2019?

1 the time I believe it was to June 6th.

2 MR. MILIANTI: Object to the form.

3 THE WITNESS: I can't specifically
4 remember this conference call, if that's what
5 you're asking.

6 Q. (By Ms. Legare) Well, so do you recall
7 having any conversations with Ms. Janssen and
8 Mr. Torrence about Ms. Geter's need for an extended
9 accommodation?

10 A. I do.

11 Q. Do you recall how many conversations you
12 may have had with them about it?

13 A. I do not.

14 Q. Can you tell me what you recall talking to
15 them about?

16 A. Yeah. We discussed, you know, her request
17 to extend and whether or not we were able to continue
18 to accommodate, you know, based on the business needs
19 and our staffing level.

20 And it was determined that we could no
21 longer accommodate, and so we discussed, you know,
22 next steps.

23 Q. Was there any conversation about changing
24 Ms. Geter's shift?

25 A. Yes. So we did discuss a couple of

1 different options. One was changing shifts. We
2 offered that up, and it's my memory that,
3 unfortunately, she wasn't able to do that because of
4 her doctor and group therapy sessions.

5 We also talked about a different position
6 for her, so, like, a first shift position. I guess
7 that would have been changing schedules kind of.

8 And then I also asked Cierra or my memory
9 is that I asked Cierra if she could change any of her
10 doctor schedules. So, you know, the Monday group
11 therapy session, I asked if there was an opportunity
12 to -- to go to a different, you know, session.

13 And my memory is that there was a
14 different session that she could attend, but it
15 coincided with one of her other doctor's visits. So
16 she wasn't able to change that up.

17 Q. So you recall having this conversation
18 with Ms. Geter?

19 A. I do.

20 Q. Were the business needs and the staffing
21 level, did any of that have to do with an APM having
22 to go out on maternity leave?

23 A. I'm sorry. Can you ask that question a
24 different way maybe?

25 Q. Sure. Isn't it true that at the same time

1 A. Yes.

2 Q. When you say business needs and staffing,
3 what do you mean?

4 A. So just the support that we are able to
5 give our driving associates and business. So having
6 enough resources in order to help those problems be
7 resolved.

8 Q. And so having her only work three days
9 instead of four days was an issue, in your mind?

10 A. Yes. Because we needed somebody there
11 full-time in order to meet those needs.

12 Q. Did you consider at the time getting a
13 temporary employee to cover that day for Ms. Geter?

14 A. We discussed it, but it never was, I'll
15 say, a viable option because of, again, the skill
16 level that's kind of needed from a temp perspective,
17 and it was a shift where we didn't have anybody on
18 staff, which is why Travis was having to step in and
19 cover it.

20 And so having a temp person take that role
21 and be in that position is not a great solution
22 because they'd be by themselves and not have the
23 knowledge and background that they need in order to
24 resolve those issues. So it wasn't a good option for
25 us to consider.